

Haryana Government Gaz Aug. 4,1998
(SRVN-13, 1920 SAKA)

HARYANA GOVERNMENT
Education Department

Notification
the, 4th February, 1998

No. G.S.R.88/Const./Art. 309/98 – In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules regulating the recruitment and conditions of service of persons appointed to Haryana Education Department (Group D) Service, namely :-

PART -1-GENERAL

Short title and commencement.	(1) These rules may be called the Haryana Education Directorate (Group D) Service Rules, 1998 (2) They shall come into force on the date of their publication in the official Gazette.	
Definition.	2. In these rules, unless the context otherwise requires, (a) "Direct Recruitment" means an appointment made otherwise than by promotion from within the service or by transfer of an official already in service of the Government of India or any State Government; (b) " Director" means the Director of Higher Education, Haryana; (c) "Government" means the Haryana Government in the Administrative Department; (d) "Institution" means ; (i) any institution established by Law in force in the State of Haryana; or (ii) any other institution recognized by the Government for the purpose of these rules: (e) " Registrar Education" means the Registrar Education in the office of Director of Higher Education, Haryana; (f) " Service" means Haryana Education Directorate (Group D) service.	
Number and character of posts	3. The service shall comprise the posts shown in appendix A to these rules; Provided that nothing in these rules shall effect the inherent right of the Government to make additions to or reductions in the number of such posts or to create new posts with different designation and scales of pay either permanently or temporally.	

Haryana Government Gaz Aug. 4,1998
(SRVN-13, 1920 SAKA)

4	<p>No Person shall be appointed to the Service, unless he is-</p> <p>(a) a citizen of India; or</p> <p>(b) a subject of Nepal; or</p> <p>(c) a subject of Bhutan; or</p> <p>(d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India; or</p> <p>(e) a person of Indian origin, who has migrated from Pakistan, Burma, Ceylon and East African Countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India;</p> <p>Provided that a person belonging to any of the categories (b), (c), (d) or (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government.</p> <p>(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the board or any other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate being issued to him by the Government.</p> <p>(3) No person shall be appointed to any post in the service by direct appointment, unless he produces a certificate of character from the Principal Academic Officer of the University, College, School or Institution last attended, if any, and a similar certificate from two other responsible persons, not being his relatives, who are well acquainted with him in his private life and are un-connected with School or Institution.</p>	Nationality, domicile and character of candidates appointed to the Service
5.	No Person shall be appointed to any post in the Service by direct recruitment who is less than 16 years or more than 30 years of age on or before the 1 st day of January proceeding the last date of submission of application to the appointing authority:	Age.
6	Appointments to the posts in the Service shall be made by the Registrar Education	Appointing authority.
7.	<p>No person shall be appointed to any post in service unless he is in the possession of qualifications and experience specified in column 3 of Appendix B to these rules in case of direct recruitment and those specified in column 4 of the aforesaid Appendix in the case of an appointment other than by direct recruitment.</p> <p>Provided that in the case of direct recruitment, the qualifications regarding experience shall be relaxable to extent of 50% at discretion of the appointing authority in case of sufficient number of candidates belonging to scheduled caste, backward classes, ex-servicemen and physical handicapped categories, possessing the requisite experience are not available to fillup the vacancies reserved for them, after recording reasons for so doing in writing.</p>	Qualifications.

**Haryana Government Gaz Aug. 4,1998
(SRVN-13, 1920 SAKA)**

Disqualifications.	<p>8. No person, (a) who has entered into or contracted marriage with a person having a spouse living ; or (b) who having a spouse living, has entered into or contracted marriage with any person, shall be eligible for appointment to any post in the Service :</p> <p>Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.</p>	
Method of recruitment.	<p>9. (1) Recruitment to the Service shall be made,-</p> <p>(a) <u>In the case of Daftri,-</u> (i) by promotion from amongst peons, chowkidar, cleaner or sweeper: or (ii) by transfer deputation of an official already in service or any state government or the Government of India.</p> <p>(b) <u>In the case of Jamadar :-</u> (i) by promotion from amongst peons, chowkidar, cleaner or sweeper: or (ii) by transfer deputation of an official already in service or any state government or the Government of India.</p> <p>(c) <u>In the case of Peon,-</u> (i) by direct appointment; or (ii) by transfer or deputation of an official already in service or any state government or the Government of India.</p> <p>(d) <u>In the case of Chowkidar,-</u> (i) by direct appointment; or (ii) by transfer or deputation of an official already in service or any state government or the Government of India.</p> <p>(e) <u>In the Case of Cleaner:</u> (i) by direct appointment; or (ii) by transfer or deputation of an official already in service or any state government or the Government of India.</p> <p>(F) In the case of Sweeper:- (i) by direct appointment; or (ii) by transfer or deputation of an official already in service or any state government or the Government of India.</p>	
	<p>(2) When any vacancy occurs or is about to occur in the Service, the appointing authority shall determine in what manner such vacancy shall be filled in.</p>	
	<p>(3) All promotions, unless otherwise, provided shall be made on seniority, cum merit basis and seniority alone shall not conform any right such promotions.</p>	
10.	<p>Persons appointed to any post in the Service shall remain on probation for a period of two years if appointed by direct recruitment and one year if appointed otherwise: Provided that:- (a) any period, after such appointment spent on deputation or a</p>	

Haryana Government Gaz Aug. 4,1998
(SRVN-13, 1920 SAKA)

	<p>corresponding or a higher post shall count towards the period of probation;</p> <p>(b) any period of work in equivalent or higher rank prior to appointment to any post in the service, may in the case of appointment by transfer, at the discretion of appointing authority, be allowed to count towards the period of probation;</p> <p>(c) any period of officiating appointment in the Service shall be reckoned as period spent on probation, but no member who has so officiated shall, on the completion of the prescribed period of probation be entitled to be confirmed, unless he is appointed against a permanent vacancy.</p> <p>(2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory, it may,-</p> <p>(a) if such period is appointed by direct recruitment, dispense with his services: and</p> <p>(b) if such person is recruited otherwise -</p> <p>(i) revert him to his former post: or</p> <p>(ii) deal with him in such other manner as the terms and conditions of his previous appointment permit.</p> <p>(3) On the completion of the period of probation of a person, the appointing authority may,-</p> <p>(a) if his work or conduct has, in its opinion, been satisfactory,-</p> <p>(i) confirm such person from the date of his appointment, if appointed against a permanent vacancy; or</p> <p>(ii) confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy; or</p> <p>(b) If his work or conduct has in its opinion been and satisfactory.</p> <p>(i) Dispense with his Service if appointed by direct recruitment or if appointed otherwise revert him to his former post or deal with him in such other manner as the terms and conditions of his previous appointment permit ; or</p> <p>(ii) extent his period of probation and thereafter pass such order as it could have passed on the expiry of the first period of probation.</p> <p>Provided that the total period of probation, including extension, if any, shall not exceed three years.</p>	
Seniority.	<p>11. The seniority, inter-se of members of the Service shall be determined by the length of continuous Service on a post in the Service :</p> <p>Provided that where there are different cadres in the Service, the seniority shall be determined separately for each cadre ;</p> <p>Provided further that in the case of members appointed by direct recruitment, the order of merit determined by the appointing authority shall not be disturbed in fixing the seniority:</p> <p>Providing further that in case of two or more members appointed on the same date, their seniority shall be determined as follows :-</p> <p>(a) a member appointed by direct recruitment shall be senior to</p>	

**Haryana Government Gaz Aug. 4,1998
(SRVN-13, 1920 SAKA)**

	<p>a member appointed by promotion or by transfer ;</p> <p>(b) a member appointed by promotion shall be senior to a member appointed by transfer ;</p> <p>(c) in the case of members appointed by promotion or by transfer, seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred ; and</p> <p>(d) in the case of members appointed by transfer from different cadres, their seniority shall be determined according to pay, preference being given to a member who was drawing higher rate of pay in his previous appointment; and if the rate of pay drawn are also the same, then by the length of their service in the appointments, and if the length of such service is also the same, the older member shall be senior to the younger member.</p>	
Liability to serve	12 (i) A member of the Service liable to serve at any place whether within or outside state of Haryana on being ordered so do to by appointing authority.	
	<p>(2) A number of the Service may also be deputed to service under :-</p> <p>(i) a company, an association or a body of individuals whether incorporated or not which is wholly or substantially owned or controlled by State Government, a Municipal Corporation or a local authority or University within the State of Haryana:</p> <p>(ii) the Central Government or a company an association or body of individuals, whether incorporated or not which is wholly or substantially owned or control by the Central Government ;</p> <p>(iii) any other State Government, an international organisation, an a autonomous body not controlled by the Government or a Private body :</p> <p>Provided that no member of the Service shall be deputed to serve the Central o any other State Government or any organisation or a body referred to in a clause (ii) or Cause (iii) except with his consent.</p>	
	13. In respect of pay, leave, pension and all other matters no expressly provided for in these rules, members of the Service shall be governed by such rules and regulations as may have been or may hereafter be adopted or made by Competent Authority under the Constitution of India or under any law for the time being in force made the State Legislature.	Pay, leave, pension and other maters,
	14. In matters relating to discipline, penalties appeals, members of the Service shall be governed by Haryana Civil Services (Punishment and Appeal) Rules, 1987; as amended from time to time :	Discipline penalties and appeals.

**Haryana Government Gaz Aug. 4,1998
(SRVN-13, 1920 SAKA)**

	<p>Provided that the nature of penalties which may be imposed, the authorities empowered to impose penalties and the appellate authorities shall subject to the provisions' of any law or rules made under Article 309 of the Constitution of India, be such as are specified in Appendix c to these rules.</p> <p>(2) The authority competent to pass an order under Clause (C) or Clause (d) of sub-rule (1) 9 of the Haryana Civil Services (punishment and Appeal) rules, 1987 and the appellate authority shall be as specified in (Appendix) (1) to these rules.</p>	
	15. Every member of the Services shall get himself vaccinated/revaccinated as and when the Government so directs by a special or general order.	Vaccination,
	16. Every member of the Service; unless he as already done so, shall be required to take the oath of allegiance to India and to the Constitution of India as by law established.	Oath of allegiance.
	17. Where the Government is of the opinion that its necessary or expedient to do so. It may, by order for reasons to be recorded in writing, relax any of the provisions of these rules, with respect to any class of category of persons.	Power of relaxation.
Special provision.	18. Notwithstanding anything contained in these rules, the appointing authority may impose special terms and conditions in the order of appointment, if, it is deemed expedient to do so.	
Reservation	<p>19. Nothing contained in these rules shall affect reservations and other concessions required to be provided for Scheduled Castes, backward Classes and other backward Classes Ex-servicemen, Physically Handicapped persons or any other class or category of persons in accordance with the orders issued by the state government from time to time.</p> <p>Provided that the total percentage of reservations so made shall not exceed fifty percent at any time.</p>	
Repeal and Saving	<p>20. Any rule applicable to the service and corresponding to any of these rules which is in force immediately before the commencement of these rules are hereby repealed.</p> <p>Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under corresponding provisions of these rules.</p>	

Haryana Government Gaz Aug. 4,1998
(SRVN-13, 1920 SAKA)

Appendix-A
(See rule 7)

Sr. No.	Designation for the post	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1	2	3	4	5	6
1	Daftri	6	2	8	800-15-1,010-EB-1,150
2	Jamadar	1	1	2	800-15-1,010-EB-1,150
3	Peon	42	41	83	750-12-870-EB-14-940
4	Chowkidar	2	4	6	750-12-870-EB-14-940
5	Cleaner	1	--	1	750-12-870-EB-14-940
6	Sweeper	2	6	8	750-12-870-EB-14-940

Haryana Government Gaz Aug. 4,1998
(SRVN-13, 1920 SAKA)

Appendix-B
(See rule 7)

Sr. No.	Designation of Post	Academic Qualification and experience if any, for direct recruitment	Academic Qualification and experience if any, for appointment other than by direct recruitment
1	2	3	4
1	Daftri	--	At least 8 years experience as peon, chowkidar, cleaner or sweeper
2	Jamadar	--	At least 8 years experience as peon, chowkidar, cleaner or sweeper
3	Peon	Middle pass with Hindi	Middle pass with Hindi
4	Chowkidar	Should be able to read and write Hindi and English	Should be able to read and write Hindi and English
5	Cleaner	Should be able to read and write Hindi and English	Should be able to read and write Hindi and English
6	Sweeper	Should be able to read and write Hindi and English	Should be able to read and write Hindi and English

Haryana Government Gaz Aug. 4,1998
(SRVN-13, 1920 SAKA)
Appendix-C
(See rule 7)

Sr. No.	Designation for the post	Appointing Authority	Nature of penalty	Authority empower to impose penalty	Appellate authority
1	2	3	4	5	6
Minor Penalties					
1 2 3 4 5 6	Daftri Jamadar Peon Chowkidar Cleaner Sweeper	Registrar Education	(i) Warning with a copy in the personal file (character roll) (ii) Censures; (iii) Withholding of promotion (iv) recovery from pay of the whole or part of any pecuniary loss caused by negligence of breach of order, to the Central Govt. or a State Govt or to a company and association of a body of individuals whether incorporated or not, which is wholly or substantially owned or controlled by the Govt or to a local authority set up by an Act of Parliament or of the legislature of a state; and v) Withholding of increment without cumulative effect;	Registrar Education	Director
			Major Penalties vi) Withholding of increments with cumulative effect; vii) reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the Govt. employee will earn increments or pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay. viii) reduction to a lower scale of pay, grade, post or service which shall ordinarily be a bar to the		

**Haryana Government Gaz Aug. 4,1998
(SRVN-13, 1920 SAKA)**

			<p>promotion of the Govt employee to the time, scale of pay, grade, post or service from which he was reduced with or without further directions regarding conditions of restoration to the grade or post of service from which the govt employee was redacted and his seniority and pay on such restoration to that grade, post or service;</p> <p>ix) Compulsory retirement;</p> <p>x) removal from service which shall not be a disqualification for future employment under the Govt.</p> <p>xi) Dismissal from service which shall ordinarily be a disqualification for future employment under the Govt.</p>		
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